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SENATE

REPORT
No. 98-315

CATHOLIC WAR VETERANS OF THE UNITED STATES OF AMERICA, INC.

NOVEMBER 17 (legislative day, NOVEMBER 14), 1983.—Ordered to be printed

Mr. THURMOND, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 1145]

The Committee on the Judiciary, to which was referred the bill (S. 1145) to recognize the organization known as the Catholic War Veterans of the United States of America, Inc., having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

PURPOSE

The bill, S. 1145, would grant a Federal charter to the organization known as the Catholic War Veterans of the United States of America, Inc.

HISTORY

Bills to grant a Federal charter to the Catholic War Veterans of the United States of America, Inc., have been introduced in the Senate six times since the 88th Congress (1963). The legislation was introduced as S. 1914 by Senator Dirksen in the 88th Congress, as S. 899 by Senator Dirksen in the 89th Congress, as S. 519 by Senator Dirksen in the 90th Congress, as S. 2790 by Senator Scott in the 91st Congress, as S. 1746 by Senator Williams in the 93d Congress, and as S. 1145 by Senator Denton in the 98th Congress.

In the aforementioned 20-year period, only one bill prior to S. 1145 was reported to the Senate by the Committee on the Judiciary. S. 1914, in the 88th Congress, was reported to the full Senate by the Committee (S. Rept. 88-401) on August 16, 1963, and was passed by the Senate on August 20, 1963.[1]

[1] Senate Committee on the Judiciary, Legislative and Executive Calendar: Final edition, 88th Congress (1964).

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STATEMENT

The Catholic War Veterans of the United States of America, Inc. [CWV] founded in May of 1935, was incorporated in the State of New York in July 1935. The membership of this organization is comprised of veterans, who are in good standing in the Catholic Church; who have served at least 90 days in an armed conflict involving the United States, recognized by the Veterans Administration; and who have been separated from any branch of the U.S. Armed Forces under honorable conditions. Catholic veterans, entitled to receive VA benefits, who have served less than 90 days because of a disability incurred in the line of duty, are also eligible for membership. With its national headquarters located in the District of Columbia, the CWV presently maintains 14 departments, 27 chapters, and 351 posts in 21 States.

The Catholic War Veterans of the United States of America Inc., is operated for educational and patriotic purposes. As part of its declaration of purpose, the CWV has included in its Articles of Incorporation, in pertinent part, the following:

> (b) commemorate the wars, campaigns, and military actions of the United States in order to reflect profound respect, high honor, and great tribute on the glorious dead and the surviving veterans of those wars, campaigns, and actions and to give all Americans a greater understanding of and appreciation for the sacrifices of those who participated in them on behalf of all Americans; * * *
>
> (e) collate, preserve, and encourage the study of historical episodes, chronicles, mementos, and events pertaining to the wars, campaigns, and military actions of the United States of America;
>
> (f) inculcate an enduring love of country, a deep and abiding sense of patriotism, and a profound commitment to Americanism among all the people of the United States;
>
> (g) encourage, among the youth of our Nation, respect for our national flag, anthem, and for the traditions of America; * * *.[2]

Cooperating with all veterans' organizations in common projects to serve the interests of all veterans, the Cathoic War Veterans of the United States of America is organized to encourage the interest of the Nation in the problems of veterans, their widows and orphans.
membership dues and fundraising activities and expends its moneys

Organized as a nonprofit organization, the CWV is supported by by making donations to veterans' medical centers and hospitals and to youth, senior citizen, and family welfare programs. Under the Veterans' Administration voluntary service program. Catholic War Veterans volunteers served approximately 65 VA medical centers across the country, with 1,894 volunteers, 60,615 volunteer-hours, and $111,790 in donations in 1982. Also, members of the CWV donated to private nursing homes, old age homes, State veterans' homes, and soldiers' and sailors' homes approximately $148,000 and 26,000 hours by 20,000 volunteers to held 32,000 veterans.[3] In addition, the CWV donated approximately $197,778 to youth, senior citizen, and family welfare programs.

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[2] S. 1145, 98th Congress, 1st session (1983), sec. 3.
[3] 129 Cong. Rec. S5223 (daily ed., Apr. 25, 1983) (statement of Senator Denton).

National in scope, due to its broad-based membership and voluntary service programs, the Catholic War Veterans would be on an equal footing with other veterans' organizations with which it participates in service programs upon receipt of a Federal charter.

The purpose of this legislation is merely to recognize an existing organization chartered by the State of New York. It does not expand any corporate rights or relieve any corporate responsibilities established by the New York charter. Moreover, this legislation specifically requires compliance with the State or the laws of the District of Columbia governing the election of corporate officers and the responsibilities of the board of directors for the corporation. It also specifically requires compliance with existing State and D.C. laws governing service of process.

In order to assure responsible and appropriate conduct on the part of the corporation, the legislation prohibits certain corporate acts and establishes certain requirements for the corporation. The legislation prohibits the loan or transfer of corporate income or assets to officers, members, or other persons (except for compensation or expenses) or the issuance of stock or the payment of dividends. The legislation further prohibits the corporation from claiming congressional approval or Federal Government authority for any of its activities. The legislation requires the corporation to keep certain records, to perform an annual audit, and to report to Congress annually. Should the corporation engage in any prohibited activity or fail to perform any of the requirements established by this legislation, or if the corporation fails to maintain its tax-exempt status, the Federal charter granted by this legislation will expire automatically as a matter of law.

In recognition of the merits of the organization, there is broad bipartisan support in the Senate for a Federal charter for the Catholic War Veterans of the United States of America, Inc. S. 1145 currently has 50 cosponsors.

COMMITTEE VOTE

On November 10, 1983, with a quorum present, by voice vote and without objection heard, the Committee on the Judiciary ordered the bill favorably reported with an amendment.

COMMITTEE AMENDMENT AND EXPLANATION

S. 1145 was amended on committee by deleting line 20 on page 6 and inserting the following in lieu thereof:

> (60) Catholic War Veterans of the United States of America, Incorporated.

This is a technical amendment to correct a drafting error in the bill, as introduced.

COST ESTIMATE

In compliance with paragraph 11(a), rule XXVI of the Standing Rules of the Senate, the committee estimates that enactment of this legislation will involve no direct additional expenditure to the Government. The committee notes the following letter from the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, D.C., November 14, 1983.

Hon. STROM THURMOND,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed S. 1145, a bill to recognize the organization known as the Catholic War Veterans of the United States of America, Inc., as ordered reported by the Senate Committee on the Judiciary, November 10, 1983.

It is expected that no additional costs will be incurred by the Federal, State, or local governments as a result of enactment of this legislation. The bill recognizes and grants a Federal charter to the Catholic War Veterans of the United States of America and establishes certain requirements for the organization.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

RUDOLPH G. PENNER.

REGULATORY IMPACT

In compliance with paragraph 11(b), rule XXVI of the Standing Rules of the Senate, the committee has concluded that this legislation does not create any new regulations with which the public must comply.

CHANGES IN EXISTING LAW

In compliance with paragraph 12, rule XXVI of the Standing Rules of the Senate, changes in existing law made by S. 1145, as reported, are shown as follows (new matter is printed in italic and existing law in which no change is proposed is shown in roman):

UNITED STATES CODE

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TITLE 36—PATRIOTIC SOCIETIES AND OBSERVANCES

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CHAPTER 42—AUDITS OF FEDERALLY CHARTERED CORPORATIONS

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§ 1101. Definition of private corporations established under Federal law

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(60) Catholic War Veterans of the United States of America, Incorporated.

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